

# WYCOMBE DISTRICT LOCAL PLAN TO 2011 – PROPOSED STATEMENT OF DECISIONS AND MODIFICATIONS TO THE DEPOSIT LOCAL PLAN

## DETAILED REPORT

### 1. Introduction and Background

- 1.1 This Appendix seeks to provide an overview of the Inspector's Report, the main issues it raises and the proposed response to it in overall terms. It explains in general terms why certain of the Inspector's recommendations should not be accepted, and highlights some of the key modifications to the Plan that are proposed.
- 1.2 The Inspector's report on the public inquiry into objections to the Deposit Local Plan to 2011 was published on 4<sup>th</sup> December 2002. A members seminar was held on 10<sup>th</sup> December 2002 to inform Members of the main conclusions and recommendations of the Inspector. A copy of the Inspector's Report has been placed in the Members Room where other Local Plan documents are also available. In line with accepted procedure, the Council wrote to the Planning Inspectorate on 17th Feb 2003 to seek clarification on a number of matters in the report. On 2nd April 2003 the Planning Inspectorate wrote back to the Council in which it issued a clarification schedule and an addendum to the Inspector's report in response to the issues raised by the Council.
- 1.3 In line with the relevant regulations, the Council has to now consider its response to each of the 576 recommendations made by the Inspector and propose modifications in the light of that response. This involves the preparation and agreement of 3 documents:
- (i) The Statement of Decisions – a schedule setting out in relation to each of the Inspector's recommendations whether the Council accepts that recommendation or not, and the reasons for that decision. In most instances the Council will normally want to accept the Inspector's recommendations. However if it does not wish to accept a recommendation it must give robust planning reasons for doing so that specifically address the reasons and conclusions of the Inspector. The proposed Statement of Decisions is found at Appendix xx.
  - (ii) A schedule of those recommendations that the Council decides not to accept and the reasons for that. The proposed schedule is found at Appendix xy.
  - (iii) The Proposed Modifications to the Plan. These detail all the changes proposed to the Deposit Plan (ie December 1998). As such many of the changes proposed are required to incorporate proposed Pre-Inquiry Changes (PICs) into the Plan, most of which have been supported by the Inspector. This is the statutory stage in the plan-making process when this should be done. Some changes will also result from accepting other changes recommended by the Inspector. Further changes may also be made to update the Plan on more minor matters. The proposed modifications are set out in Appendix xz. It can be seen that the proposed modifications to the Plan are extensive. This to a significant degree reflects the changes that were proposed to the Plan by the Council before the public inquiry through the PICs, and as such many of those changes will already have been considered by Members at an earlier stage. The proposed changes are set out fully so that the extent of change to a particular policy is clear.
- 1.4 It is proposed to accept 517 of the Inspector's 576 recommendations, partially accept 37 and reject 22.

## 2. Main Conclusions of the Inspector

### Strategic Issues

#### Housing

##### *Overall Housing Land Supply*

2.1 The Inspector broadly accepted the Council's position with regard to the assessment of future housing land supply. However he did not accept the Council's position that it need not meet the Structure Plan requirement for housing up to 2011 in full, and that any shortfall against requirements could be met by a "Plan, Monitor and Manage" approach to provision, bringing new sites into the plan in a future review if necessary. The Inspector concluded that the full Structure Plan requirement should be planned for now. Taking account of the assessment of existing and forecast supply of housing the Inspector identified a need for **1,850 dwellings** to be provided on new sites allocated in the Plan, of which at least 60% (1,110 dwellings) should be provided in the High Wycombe area to accord with Structure Plan policy H2 which seeks to concentrate a significant proportion of new strategic housing allocations to the High Wycombe Urban Area.

2.2 Set out below are the strategic housing sites (ie sites above 1 hectare) recommended by the Inspector for inclusion in the Plan. All the sites proposed by the Council in the Deposit Plan, as amended by the proposed Pre-Inquiry Changes, are included with the following exceptions:

- Abbey Barn North deleted
- Terriers Farm added
- Great Marlow school added (although this site was in the original deposit draft)

The Inspector has therefore strongly supported the brownfield housing strategy. There are therefore still only two greenfield sites recommended for inclusion in the Plan, but with Terriers Farm being substituted for Abbey Barn North.

Site	Area (ha)	No. Dwellings *
HIGH WYCOMBE URBAN AREA		
Bucks Free Press	1.8	80
Downley Middle School/Turner's Field	2.5	50
Ercol	5.9	265
Garratts Way	3.0	100
Heights County First School, Downley	1.1	40
Terriers First School	1.6	60
Wycombe Marsh	19.9	400
Terriers Farm	23.1	400
<b>Sub Total</b>	<b>58.9</b>	<b>1395</b>
REMAINDER OF THE DISTRICT		
Portlands, Marlow	1.6	50
Great Marlow School, Marlow	1.6	50
Park Mill Farm, Princes Risborough	26.2	350
<b>Sub Total</b>	<b>29.4</b>	<b>450</b>
<b>TOTAL</b>	<b>88.3</b>	<b>1845</b>

\*This is a guideline figure for the purpose of assessing the overall amount of housing land available, not a fixed requirement or maximum.

### *Phasing of housing sites*

- 2.3 The Inspector indicates that both recommended greenfield sites, Terriers Farm and Park Mill Farm, should not commence development until the second phasing period of the Plan (2006-2011). In the case of Park Mill Farm, only 350 dwellings should be built in that period and the remainder built in the next plan period after 2011. He considers that the Wycombe Marsh development is unlikely to be developed until the middle of the second half of the plan period. Although Wycombe Marsh will involve a long construction programme, the recent commencement of the overall project should ensure that some of the housing on this site should come forward in the first phasing period.

### **Green Belt and Safeguarded Land**

- 2.4 The Inspector recommends no change to the Green Belt boundary other than one minor change at Princes Risborough School. He recommends the following sites should remain as Safeguarded Land (formerly Areas of Special Restraint):

- Abbey Barn North
- Abbey Barn South
- Slate Meadow
- Gomm Valley
- Grange Farm
- Lane End Road

- 2.5 In relation to Grange Farm and Lane End Road, which are also within the AONB, he considers that there is some inconsistency between the Safeguarded Land designation and their AONB status. However because he considers there is no strategic case in regional planning guidance for reviewing green belt boundaries he suggests that this “dilemma” should be resolved at the next review of sub-regional strategic policy.

### **Major Sites**

- 2.6 In relation to some of the major sites identified in the Plan the Inspector made the following conclusions:
- Wycombe Marsh – supports the allocation, indicating that in broad land use terms the site meets a number of significant policy objectives for providing much needed retail, employment and housing development on previously-developed land in a sustainable location.
  - Western Sector – fully endorses the expansion of the town centre. He also rejected Tesco’s case and concluded that replacement provision for a large foodstore is not necessary and that there should be no policy statement favouring or nominating occupation by Tesco.
  - Marlow Town Centre – supports the Council’s position of retaining the Portlands site for housing (for design and conservation area reasons) and the Riley Road site for foodstore/mixed use development.

### **Employment policy**

- 2.7 The Inspector accepted the Council’s balanced approach to employment land policy involving the limited release of sites (ie Ercol and Bucks Free Press) but the retention of the remainder. More specifically:
- He rejected any further loss of employment land over and above that already proposed

- Rejected the provision of new business parks, particularly at Abbey Barn South
- Supported the provision of 2 hectares of employment land as part of the Wycombe Marsh development
- Stated specifically that there should be no loss of employment land at Princes Risborough

### **Retail Policies and Town Centre**

2.8 The Inspector supports the allocation of the main town centre sites for redevelopment. More specifically in relation to retail issues he recommends:

- A more precise definition of the town centre boundaries of High Wycombe, Marlow and Princes Risborough to show the extent of the application of the main retail policy (S1)
- The re-definition of the primary and secondary frontages to show the full plots and not just the frontage of the properties to which the policies apply

### **Transport policy**

2.9 In relation to transport issues the Inspector:

- Recommended a criteria based policy for Park and Ride rather than making specific site allocations.
- Recognises the need to consider coach interchange along the M40 corridor
- Supports the concept of the busway
- Supports the safeguarding of the busway and remainder of the former Bourne End to High Wycombe railway line
- Recommends the deletion of the northern part of the Hazlemere Diversion Road

It should be stressed that in the case of the busway and Park and Ride the Inspector has accepted the case made by the Council at the Inquiry. In the case of Park and Ride no sites are proposed – the policy sets out the criteria to be applied in assessing any proposals that may come forward, whether they are proposed by the public sector or private sector.

### **Overview of Detailed Policies**

#### **Key Policy Areas**

- 2.10 Affordable Housing – the Inspector has supported the Plan in respect of the requirement for at least 30% of all new bedspaces to be affordable housing. However he does not recommend in favour of the lower threshold at which affordable housing would be sought – ie 15 dwellings or 0.5 ha, recommending instead a threshold of 25 dwellings or 1 hectare.
- 2.11 HMOs - the Inspector supports this policy as set out in the Deposit Plan, including the higher minimum room size set out in the supporting text to the policy.
- 2.12 Housing Density – the Inspector supported the new policy on minimum housing density, introduced by the Council after the publication of PPG3.
- 2.13 Residential Character Zones – the deletion of the established, spacious and special residential character zones and their replacement with an existing residential area designation is endorsed by the Inspector.

- 2.14 50% in the Green Belt (replacement dwellings and extensions) – these policies, as proposed to be amended by pre-inquiry changes – are supported by the Inspector.

### **Other Policy Areas**

- 2.15 There is a very large degree of support from the Inspector in respect of the detailed policies in the Plan. Many policies are recommended to remain unchanged, other than changes proposed by the Council through the pre-inquiry changes. In some parts, and in certain chapters of the Plan in particular (eg General Development, Transport, Heritage), the Inspector has recommended revised wording for a number of policies. In most instances however this does not affect the overall purpose of the policy but can be regarded as relatively minor “tinkering” with the detailed wording.

### **3. Key Strategic Issue – Greenfield Housing Allocations**

- 3.1 With such extensive support from the Inspector for the overall strategy of the Plan and the vast majority of major site allocations proposed by the Council, the most significant strategic issue for the Council arising from the Inspector’s report relates to the two greenfield housing allocations recommended by the Inspector – Terriers Farm and Park Mill Farm. The first of these is a site that was not proposed by the Council, the second one was proposed by the Council though with variations at different stages in terms of the extent and anticipated dwelling yield from the site. The Inspector recommendation in relation to Park Mill Farm is in line with the Council’s position at the public inquiry. The Inspector has recommended that both sites do not get developed until later in the plan period to allow brownfield sites to be developed first. The Council’s approach on the issue of greenfield sites is to ensure that they are only released when they are needed and not before. In this respect the Inspector’s phasing of the sites is broadly supportive of the Council’s approach.
- 3.2 In respect of the Terriers Farm site, the Inspector has given clear and cogent reasons for why he considers this to be the best greenfield site for housing in the High Wycombe Urban Area. It is considered that it is not appropriate to challenge his assessment of the merits of this site relative to other greenfield sites by rejecting his recommendation on those grounds.
- 3.3 The other potential factor in considering the Inspector’s recommendations in relation to both greenfield sites is whether there is still a need in housing land supply terms for those sites in the light of current and anticipated supply of brownfield sites. The Inspector’s assessment (using a April 2000 base date) was that both sites were required to meet Structure Plan housing requirements, and in relation to Terriers Farm, to provide sufficient strategic housing sites in the High Wycombe Urban Area to meet the locational requirements of the Structure Plan. Whilst the amount of development coming forward on brownfield sites in terms of dwelling completions and firm commitments shows signs of increasing since the Inspector considered the issue, current information suggests that this increase is not sufficient to justify the deletion of one or more of the greenfield sites. The possible closure of RAF Daws Hill could provide a major windfall site in terms of future housing provision. There is still however not the certainty that this will go ahead at this point in time. A final decision on the future of the site is not expected until later this year or early next year. In addition, more detailed information on the future availability of brownfield sites is likely to emerge once a detailed urban capacity study has been undertaken. Assuming the current plan moves smoothly to adoption this is planned to be undertaken during 2004.
- 3.4 The rejection of one or more of the greenfield sites on the basis of housing land supply is therefore difficult to justify at this point in time. Even if this was pursued it could result in

a modifications inquiry. In addition to the cost implications of such an inquiry, this would significantly delay the adoption of the Plan. It would also significantly delay the preparation of the new Local Development Frameworks (being proposed in the new Planning Bill to replace Local Plans and Structure Plans) which the Government has indicated should be prepared by 2007.

- 3.5 However it is important that if significantly higher levels of housing on brownfield sites do emerge, that greenfield sites are not developed unnecessarily. As such it is suggested the Council accept the recommendation of the Inspector to allocate the two greenfield sites for housing, but that the phasing policy (policy H4) recommended by the Inspector is accepted with some amendments to indicate the mechanisms by which the future release of sites would be managed to ensure that greenfield sites are not released if sufficient dwellings can be provided on previously developed sites. These mechanisms may involve the review or alteration of the Local Plan (which could well be through the introduction of the Local Development Framework) or through the use of supplementary planning guidance. The use of supplementary planning guidance was endorsed by the Inspector in comments in his report but not specifically recommended. It is also an approach highlighted in the Government's good practice guide on the issue of managing the release of housing sites entitled "Planning to Deliver" (July 2001).

#### **4. Inspector's recommendations proposed not to be accepted**

- 4.1 Appendix xy schedules the recommendations that are proposed not to be accepted by the Council. The reasons for each are set out in full in the schedule. Instances where it is suggested that the Inspector's recommendations are not accepted include:

- There are a number of recommendations from the Inspector where it is clear from his reasoning that he supports (or does not oppose) proposed Pre-Inquiry Changes proposed by the Council. However this is not then followed through in his recommendations. In these instances it is therefore appropriate to follow the intent of the Inspector but "technically" either reject or only partially accept his recommendation.
- Similarly there are instances where the Inspector may recommend the inclusion of a proposed Pre-Inquiry Change (PIC) in a policy in one recommendation only then to completely re-write the policy in the next recommendation. This can result in contradictory recommendations, which means that both recommendations cannot be accepted. In some instances however where the re-written policy effectively includes the PIC then both recommendations can still be accepted as the principle which was sought to be achieved through the PIC is still enshrined in the new policy.
- Where revised policy wording is not clear or does not adequately serve the purpose intended by the Inspector. The precise wording recommended by the Inspector may not be accepted and revised wording recommended which still seeks to achieve the objective set out by the Inspector.

Overall, even where recommendations are not fully accepted, the approach is one of following the spirit of what the Inspector is trying to achieve if not the letter.

It should be noted that some recommendations may be "partially accepted" if the Council accepts part of the recommendation but not all. It may also be partially accepted if the broad thrust of what the Inspector recommends is accepted but a somewhat different form of wording is proposed.

- 4.2 In addition to some of the general situations above where Inspector's recommendations may not be accepted, there is one site specific situation worthy of specific mention. In relation to the Abbey Barn North site the Inspector recommends that most of the site be included within a Local Landscape Area as well as the whole site being "re-instated" as a safeguarded land. However the Inspector gives no reasons for such a landscape designation on the site, and his approach is also inconsistent with his approach elsewhere in his report (eg in relation to Gomm Valley). To accept this recommendation could leave the Council open to legal challenge. The landscape merit of the site should be considered through a full review of Local Landscape Areas as part of the preparation of the new Local Development Framework.

## 5. The Proposed Modifications

- 5.1 Appendix xz... sets out the proposed modifications to the Plan in detail. It shows the text of the Deposit Plan as proposed to be modified (using bold and strike through text to highlight the changes) on the left hand side, and the modified text on the right (without the changes highlighted). The reasons for the changes are given in the central column. These are often simply stated as being to accord with the Inspector's recommendation(s). However sometimes additional reasons are given where further changes are made in addition to what the Inspector recommended. Changes to the proposals map are set out at the end of the document and cross referenced to changes in the main part of the document. As highlighted above, many of the changes are the formal mechanism for introducing previously agreed Pre-Inquiry Changes into the Plan. It should also be noted that changes to policy recommended by the Inspector often lead to consequential changes to the supporting justification to policies (ie the lower case text"). These changes also form part of the proposed modifications.
- 5.2 Some of the more significant proposed modifications are set out in the following paragraphs:
- Policy H1 – Housing Land Supply – the text accompanying this policy is subject to change to take account of the Inspector's revised housing land supply assessment
  - Policy H2 – Allocated Housing Sites – significant changes to list of sites to reflect the extensive PICs, most of which were supported by the Inspector, and other changes recommended by the Inspector. This results in major changes to the Proposals Map.
  - Policy H4 – Phasing of Housing Sites – introduction of the new phasing policy which phases the release of Terriers Farm and Park Mill Farm in the second half of the plan period, and facilitates the management of the future release of those sites in the light of the scale of housing development anticipated on previously developed land
  - Policy H11 Affordable Housing – proposed modifications to this policy are more limited than that proposed by the PICs as a result of the Inspector not supporting a reduction in the threshold at which affordable housing should be negotiated. It is understood that the Government may be publishing changes to its planning policy advice on affordable housing later this year, including on the issue of thresholds, and it may be that this has to be taken into account prior to the adoption of the Plan.
  - Policy E1 – Employment generating development – amendments to the policy to encourage employment development in town centres in line with the Inspector's

recommendation. However it is considered that an upper limit on floorspace for such provision should not be incorporated in the policy, contrary to the Inspector's recommendation.

- Policy S1 – Retail development – in addition to detailed changes to the policy, new boundaries are proposed in respect of High Wycombe, Marlow and Princes Risborough Town Centres to show the extent of the area in those centres to which the policies apply. These have been drafted to take account of indications in various parts of the Inspector's report as to which sites/areas of the town centres should be regarded as “edge of centre” and hence outside the S1 policy area, or within the core of the town centre and hence within the S1 area.
- Policy S3/S4 - Primary and Secondary Shopping Frontages – in the light of the Inspector's recommendations, not only are changes to the main policies proposed but extensive changes are proposed to the proposals maps to now show the frontages as “zones” rather than just frontages.
- Policy C10 Settlement boundary – Princes Risborough Upper School – the green belt boundary is proposed to change to follow the Upper Icknield Way instead of through the school playing fields located between the Upper Icknield Way and the school buildings. The area now excluded from the green belt is proposed as a green space (Policy L3).
- Policy GB9 – Wycombe Air Park – in accordance with the Inspector's recommendation the built up area of the air park is now defined on the proposals map.
- Appendix 2 – Development Principles, Terriers Farm – a consequence of proposing to accept the Inspector's recommendation is that development principles for the site have to be put forward. These provide the framework for how the site should be developed, and are set out in the proposed modifications. They draw on what is known about the characteristics of the site and what is likely to be required to secure a successful development, having particular regard to the comments of the Inspector about the site and how it should be developed. The landscape character and setting of the site is particularly highlighted. Two specific requirements recommended by the Inspector and incorporated into the development principles were the provision of a green wedge through the centre of the site and the safeguarding of land for a possible Park and Ride site pending the outcome of the relevant policy review.
- Appendix 11 – Road Improvement Schemes, Hazlemere Diversion – in the light of the Inspector's recommendation to delete the northern part of the scheme (from Kingshill Road to White Hill) the proposed modification suggests that the scheme should not extend beyond the junction of Hughenden Road and Coates Lane. The Inspector's recommendation had the effect of leaving a “stub” of road in the green belt and AONB that went nowhere.

5.3 In addition to the modifications arising from the Inspector's report, and the PICs, there are a number of generally more minor changes to the Plan proposed. These often pick up on drafting errors or omissions. Some are also proposed to update the factual basis of the Plan.